

86th Legislative Session – 2011

Committee: Senate Judiciary

Tuesday, February 22, 2011

P - Present
E - Excused
A - Absent

Roll Call

P Begalka
P Hunhoff (Jean)
P Nygaard
P Vehle
P Buhl
P Cutler, Vice-Chair
P Tieszen, Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Senator Craig Tieszen, Chair.

MOTION: TO APPROVE THE MINUTES OF THURSDAY, FEBRUARY 17, 2011

Moved by: Nygaard
Second by: Buhl
Action: Prevailed by voice vote.

SB 163: revise the penalties for violations concerning smoking in public.

Presented by: Senator Tom Nelson
Opponents: Jennifer Stalley, American Cancer Society
Dave Hewett, SD Association of Healthcare Organizations
Brittany Novotny, SD Nurses Association

MOTION: DEFER SB 163 TO THE 41ST LEGISLATIVE DAY

Moved by: Hunhoff (Jean)
Second by: Cutler
Action: Prevailed by roll call vote. (7-0-0-0)

Voting Yes: Begalka, Hunhoff (Jean), Nygaard, Vehle, Buhl, Cutler, Tieszen

SB 178: revise certain provisions relating to the rights and duties of joint legal custodians.

Presented by: Senator Mike Vehle

Proponents: Tom Barnett, State Bar Association of South Dakota
Representative Jacqueline Sly (Handouts: #1)

MOTION: AMEND SB 178

178ra

On page 1, line 7, of the printed bill, delete "equally".

Moved by: Nygaard

Second by: Begalka

Action: Prevailed by voice vote.

MOTION: DO PASS SB 178 AS AMENDED

Moved by: Nygaard

Second by: Cutler

Action: Prevailed by roll call vote. (7-0-0-0)

Voting Yes: Begalka, Hunhoff (Jean), Nygaard, Vehle, Buhl, Cutler, Tieszen

SB 179: define and prohibit the offenses of juvenile sexting and aggravated juvenile sexting and to provide for certain sanctions and remedies.

Presented by: Senator Mike Vehle

MOTION: DEFER SB 179 TO THE 41ST LEGISLATIVE DAY

Moved by: Vehle

Second by: Cutler

Action: Prevailed by roll call vote. (7-0-0-0)

Voting Yes: Begalka, Hunhoff (Jean), Nygaard, Vehle, Buhl, Cutler, Tieszen

HB 1041: revise the statutory duties of the presiding judge of each judicial circuit.

Presented by: Greg Sattizahn, Unified Judicial System
Proponents: Tom Barnett, State Bar Association of South Dakota
Opponents: Chuck Schroyer, SD States Attorneys Association
Anita Fuoss, Jones County/Lyman County States Attorney
Bob Wilcox, SD Association of County Commissioners

MOTION: DO PASS HB 1041

Moved by: Cutler
Second by: Vehle
Action: Prevailed by roll call vote. (4-3-0-0)

Voting Yes: Vehle, Buhl, Cutler, Tieszen

Voting No: Begalka, Hunhoff (Jean), Nygaard

SB 164: revise certain provisions regarding the regulation of traffic on municipal streets.

Presented by: Yvonne Taylor, SD Municipal League
Proponents: Larry Nelson, SD Police Chief's Association
Opponents: Jim Hutmacher, SD Coalition of Schools/SD Mid-Size School Organization
Dick Tieszen, SD Associated School Boards
Sioux Falls/Rapid City Educational Partnership
Bill Engberg, Associated School Boards of SD

MOTION: DO PASS SB 164 AS AMENDED

Moved by: Nygaard
Second by: Begalka
Action: Prevailed by roll call vote. (5-2-0-0)

Voting Yes: Begalka, Hunhoff (Jean), Nygaard, Buhl, Tieszen

Voting No: Vehle, Cutler

MOTION: ADJOURN

Moved by: Hunhoff (Jean)

Second by: Buhl

Action: Prevailed by voice vote.

Rena Ortbahn
Committee Secretary

Craig Tieszen, Chair